Remarks

Claims 1, 2, 4, 9, 14, 16, 20, 24, 25, 28, 30, 31, 33, 35 and 40-43 are pending.

Claim 20 is canceled.

Claims 1 and 9 are amended.

Claims 1, 2, 4, 9, 14, 16, 24, 25, 28, 30, 31, 33, 35 and 40-43 will be pending upon entry of this amendment.

Claim 1 is amended to limit the inorganic salts to certain specific ones. Support is found in the specification, page 15, lines 5-7.

Claim 1 is also amended to be more clear.

Claim 9 is amended to delete irrelevant definitions.

No new matter is added.

The present claims are rejected under 35 USC 103(a) as being unpatentable over Kvita, et al, U.S. Pat. No. 6,291,412 in view of Willey, et al., U.S. Pat. No. 6,407,049 or Kitko, et al., U.S. 2003/0232734.

Applicants respectfully rebut these rejections.

Kvita is cited as teaching water soluble granules of phthalocyanine compounds also comprising an anionic dispersing agent or a water soluble organic polymer.

Kvita does not teach phthalocyanine granules containing an inorganic salt and/or a low molecular weight organic acid or salt thereof.

Willey is cited as teaching laundry detergent granules containing inert salts (filler salts), col. 28, line 53 to col. 29 line 7.

Kitko is cited as teaching detergent compositions which additionally contain adjunct components. The adjunct materials include fillers, soil suspension agents, etc., para. 80. An adjunct material may be a salt, para. 94. Kitko is also cited as teaching soil suspension agents which may be derived from acrylic acid, para. 96.

It is the Examiner's position that the secondary references Willey and Kitko teach using inorganic salts and/or low molecular weight organic acids or salts thereof to enhance the solubility of the granules.

However, Willey discloses the salts as "inert salts" or "filler salts", col. 28, line 53. It is stated in col. 28, starting on line 53 that the salts "can be any water-soluble inorganic or organic salt or mixtures of such salts which do not destabilize any surfactant present." There is no specific teaching or motivation to employ a salt to achieve a certain desired effect or property.

It is the Examiner's position that "it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to use an alkali metal carbonate or citrate in the granule taught by Kvita et al. with a reasonable expectation of success, because Willey et al. teach the use of alkali metal carbonates or citrates as filler salt material in a similar granular composition and further, filler salts are conventionally used in granulate compositions to provide increased substance and enhanced solubility to the granule and are notoriously well know to those of ordinary skill in the art."

The Examiner's position appears to be based on hindsight. There is no clear teaching or motivation in Willey to use a filler salt for enhancing solubility of the granules. Fillers are used for adjusting the concentration of an active ingredient in a specific amount of granules. In the absence of any clear teaching that a filler salt would enhance the solubility of the granules, the combination of Willey and Kvita would not lead one skilled in the art to arrive at the present invention.

Kitko discloses detergent compositions and the incorporation of moisture sensitive components, para. 2. These compositions additionally contain adjunct components, such as fillers, para. 80. In Kitko the effect of an adjunct is given in para. 94: "A preferred adjunct component is a salt. Preferably, the detergent composition comprises one or more salts. The salts can act as alkalinity agents, buffers, builders, co-builders, encrustation inhibitors, fillers, pH regulators, stability agents, and combinations thereof. Typically, the detergent composition comprises (by weight of the

composition) from 5% to 60% salt. Preferred salts are alkali metal salts of aluminate, carbonate, chloride, bicarbonate, nitrate, phosphate, silicate, sulphate, and combinations thereof. Other preferred salts are alkaline earth metal salts of aluminate, carbonate, chloride, bicarbonate, nitrate, phosphate, silicate, sulphate, and combinations thereof. Especially preferred salts are sodium sulphate, sodium carbonate, sodium bicarbonate, sodium silicate, sodium sulphate, and combinations therof. Optionally, the alkali metal salts and/or alkalilne earth metal salts may be anhydrous."

Again, Kitko provides no clear teaching or motivation to employ any salt for enhancing solubility to granules.

Applicants submit that the Examiner's assertion of a "reasonable expectation of success" in arriving at the present invention based on the combined disclosures of the cited art is hindsight analysis.

The outstanding success of the present invention is discussed and demonstrated in the Menge Declaration enclosed with the Amendment filed February 5, 2008.

In view of this discussion, Applicants submit that the 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,

Ciba Corporation
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914)785-2783
Fax (914)785-7102

Tyler A. Stevenson
Agent for Applicants
Reg. No. 46,388